



Entered on Docket  
April 01, 2010

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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Electronically Submitted: 3/31/2010

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re

JOSEPH WILLIAM YAKUBIK,  
DARCIE ANN YAKUBIK,

Debtors.

Case No. BK-S-09-24688-LBR  
Chapter 11

Date: March 22, 2010  
Time: 1:30 PM

**CONDITIONAL ORDER TERMINATING THE AUTOMATIC STAY**

Anna Jane I. Zarndt, Esq. appearing on behalf of Secured Creditor GMAC Inc. ("GMAC")  
and Adam P. Bowler, Esq. appearing on behalf Debtors, upon consideration of the record before  
this Court and the Motion for Relief from the Automatic Stay filed by GMAC, Docket No. 74  
("Motion"), with notice of the Motion having been given in accordance with the applicable Federal  
Rules of Bankruptcy Procedure and Local Bankruptcy Rules, and Opposition to the Motion and  
argument, having been considered, and good cause existing:

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1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Debtors must make  
2 an adequate protection payment to GMAC in the amount of \$522.00 in certified funds no later than  
3 Monday, March 29, 2010.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Debtors must make  
5 adequate protection payments to be received by GMAC on the 5<sup>th</sup> of each month beginning April  
6 5, 2010 in the amount of \$522.00. In the event the Debtors fail to make any ordered payment, the  
7 Automatic Stay in the above-entitled Bankruptcy case is hereby terminated as to the Debtors and  
8 the Trustee in favor of Secured Creditor, GMAC Inc., as it pertains to the following property:

9 2006 Cadillac STS, VIN 1G6DX67D260214900

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that GMAC will give  
11 Debtors five (5) day notice of its intent to pursue its state court remedies.

12 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the ten (10) day stay  
13 imposed under Bankruptcy Rule 4001(a)(3) is waived.

14 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the secured claim filed  
15 by Secured Creditor is deemed to be withdrawn, and Secured Creditor may file an amended Proof  
16 of Claim for any deficiency remaining after disposition of the Vehicle.

17 Submitted by:

18 JOLLEY URG A WIRTH  
19 WOODBURY & STANDISH

20 /s/Anna Jane Zarndt, Esq.  
21 Brian E. Holthus, Esq., #2720  
22 Anna Jane Zarndt, Esq., #10809  
23 3800 Howard Hughes Pkwy. 16th Floor  
24 Las Vegas, Nevada 89169  
25 Attorneys for Secured Creditor

26 APPROVED/DISAPPROVED

27 Did Not Respond

28 Adam P. Bowler  
Attorneys for Debtor

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APPROVED/DISAPPROVED

*Did Not Respond*

Office of the United States Trustee

**ALTERNATIVE METHOD re: RULE 9021:**

In accordance with Local Rule 9021, the undersigned certifies:

☐ The court waived the requirements of LR 9021.

☐ This is a chapter 7 or 13 case, and either with the motion, or at hearing, I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

☒ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below:

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed written objections.

JOLLEY URG A WIRTH WOODBURY &  
STANDISH

An Employee of Jolley Urga Wirth  
Woodbury & Standish

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